

## MINUTES

### COMMITTEE OF THE WHOLE

September 3, 2014

A meeting of the Committee of the Whole of the Council of the County of Kaua'i, State of Hawai'i, was called to order by Jay Furfaro, Chair, at the Council Chambers, 4396 Rice Street, Suite 201, Lihu'e, Kaua'i, on Wednesday, September 3, 2014, at 5:36 p.m., after which the following members answered the call of the roll:

Honorable Tim Bynum  
Honorable Mason K. Chock, Sr.  
Honorable Gary L. Hooser  
Honorable JoAnn A. Yukimura  
Honorable Jay Furfaro

Excused: Honorable Ross Kagawa  
Honorable Mel Rapozo

The Committee proceeded on its agenda item, as follows:

**EXECUTIVE SESSION:** *Pursuant to Hawai'i Revised Statutes (HRS) §92-7(a), the Council may, when deemed necessary, hold an Executive Session on any agenda item without written public notice if the Executive Session was not anticipated in advance. Any such Executive Session shall be held pursuant to HRS §92-4 and shall be limited to those items described in HRS §92-5(a). (Confidential reports on file in the County Attorney's Office and/or the County Clerk's Office. Discussions held in Executive Session are closed to the public.)*

ES-753 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4, 92-5(a) (2) and (4), the Office of the County Attorney, on behalf of the Council, requests an Executive Session with the County Council's Committee of the Whole to provide a briefing and consultation on issues pertaining to Bill No. 2546, written opinions from the Office of the County Attorney on Bill No. 2546, and related matters. This briefing and consultation involves consideration of the powers, duties, privileges, immunities and/or liabilities of the Council and the County as they relate to this agenda item.

Chair Furfaro:  
it? What is that bill number?

The bill number that is in front of us, what is

LORI L. MARUGAME, Council Services Assistant: ES-753

Chair Furfaro: ES-753, we will be deferring that a week, so on that note I would like to adjourn the Committee of the Whole.

Mr. Chock:

Chair do we need a...

Chair Furfaro: The motion was to defer for a week. The clarification, is it one (1) week or two (2) weeks?

Ms. Yukimura: I believe it is two (2) weeks but we might have...

Chair Furfaro: Just a straight deferral to September 17, 2014.

Ms. Yukimura: Before the motion may I say...

Chair Furfaro: Yes, go right ahead.

Ms. Yukimura: I think there is that issue of disclosing or releasing the County Attorney's opinion. That will happen in a week, hopefully. That will be posted as an item so that we can release it so that...

Chair Furfaro: I want to clarify, JoAnn. I have already spoken to those who want to release that. They are to send in an E-mail or something in writing to the County Attorney, copying myself. If they do not do that it will not be posted. If they do make the request to post, it will be posted.

Ms. Yukimura: So this deferral is independent of that.

Chair Furfaro: Yes.

Ms. Yukimura: Thank you.

Upon motion duly made by Councilmember Yukimura, seconded by Councilmember Chock, and carried by a vote of 5:0:2 (*Councilmember Kagawa and Councilmember Rapozo were excused*), ES-753 was deferred in open session. **[Deferred in Open Session.]**

There being no further business, the meeting was adjourned at 5:38 p.m.

Respectfully submitted,



Lori L. Marugame  
Council Services Assistant I

APPROVED at the Committee Meeting held on October 1, 2014:



JAY FURFARO  
Chair, COW